

**REMARKS/ARGUMENTS**

**A. Status of the Claims**

Claims 26 is revised to change the transitional phrase “comprising” to “consisting of” of the claimed components and to clarify component D. Claims 49 and 50 are revised to correspond with the revisions to claim 26. Support for these revisions can be found throughout the specification and claims as originally filed. *See, e.g.*, English translation of specification at pages 3-6 and Examples 7-12.

Claims 26-29, 31-34, 36-47, 49-50, and 52-61 are pending.

**B. Indefiniteness Rejection**

The rejection of claims 49-50 for lack of indefiniteness under 35 U.S.C. § 112, second paragraph, is moot in view of the revisions made to these claims. Applicant respectfully requests withdrawal of this rejection.

**C. Obviousness Rejections**

All of the claims continue to be rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Machac *et al.* and Joye *et al.* and a variety of secondary references. Although Applicant respectfully disagrees with these rejections (see Applicant’s arguments presented in its previous response, which are incorporated by reference), in an effort to obtain prompt allowance claim 26 is revised to concern a cleaning solution “**consisting of**” the claimed components. The MPEP explains that such a transitional phrase “excludes any element, step, or ingredient not specific in the claim.” MPEP §2111.03; *see also* *CIAS, Inc. v. Alliance Gaming Corp.*, 504 F.3d 1356, 1361 (Fed. Cir. 2007) (“It is equally well understood in patent usage that ‘consisting of’ is closed-ended and conveys limitation and exclusion.”). Therefore, if Machac *et al.* and Joye *et al.* fail to disclose or suggest Applicant’s claimed “consisting of” solution, then the current

obviousness rejections should be withdrawn. *KSR International Co. v. Teleflex Inc.*, 550 U.S. 398 (2007).

Machac *et al.* explains in the Summary of the Invention that the compositions include carbonate and either a dibasic ester or a pyrrolidine (col. 1, lines 30-59). The inclusion of these compounds in the disclosed compositions are confirmed in the Examples and claims of Machac.

Turning to Joye *et al.*, this reference discloses compositions having a dibasic ester (col. 1, lines 30-64). The inclusion of this compound in the disclosed compositions is confirmed in the Examples (with RPDE being a known dibasic ester—see col. 1, lines 61-64) and claims of Machac.

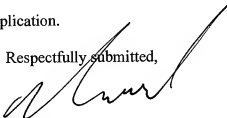
By comparison, Applicant's claimed solutions, which utilize the "consisting of" transitional phrase, do not include carbonates, dibasic esters, and pyrrolidones. Further, the combination of Joye *et al.* and Machac *et al.* provide no apparent reason *ala KSR* to remove such compounds from their respective disclosures. The reasonable conclusion is, therefore, the claimed invention is patentable over the cited art (note that the secondary references of Wilkins *et al.* and Stewart *et al.*) do not supplement the deficiencies of Machac *et al.* and Joye *et al.*, as they provide no apparent reason to remove carbonates, dibasic esters, and pyrrolidones from the Machac *et al.* and Joye *et al.* compositions).

Applicant respectfully requests that the current obviousness rejections be withdrawn.

**D. Conclusion**

In view of the foregoing, it is respectfully submitted that each of the pending claims is in condition for allowance, and a Notice of Allowance is earnestly solicited. The Examiner is invited to contact the undersigned attorney at (512) 536-3020 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



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Date: May 28, 2009